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09/944,676	08/31/2001	Daniel Keele Burgin	1160215-0538115	8505

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EXAMINER
MOSSER, KATHLEEN MICHELE

ART UNIT	PAPER NUMBER
3715	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _01/16/2009_.

2a)☐ This action is **FINAL**.　　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _37-56_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _37-56_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _09/17/2008_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

In response to the amendment filed 01/16/2009, claims 37-56 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set

forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious
> at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention
> was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are

applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are

summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or
   nonobviousness.

1. Claims 37-53 and 55-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt

et al (US 2002/0130895 A1) in view of Jawahar et al (US 6256620 B1) further in view of Kobayaghi et al

(US 6950852). Brandt teaches a method for providing help/support information to user including the

steps of: passing a navigation event (the help signal paragraph 29) from a first frame (web page)

originating from a first domain (the web file) to a second frame (the help window, paragraph 13)

originating from a second domain (the instructions in the computer memory), see paragraphs 36 and 37;

determining the present navigation location within the first frame using the navigation event and initiating

an automated help session in the second frame, the automated help session corresponding to the

determined present navigation location (paragraph 31), as in **claims 37 and 45.**. Collecting data from the

first fame that was collect from the user in the first frame and passing the received information to the

second frame (**claims 39, 42, 47 and 50**) is shown in the tracking of the user actions in the web page,

see paragraph 45.The web page of Brandt is by definition a content frame, as per **claims 40 and 48.**

Brandt et teaches receiving a user request for help (**claim 36**), see Figure 3, element 34.

Brandt fails to specifically teach: displaying the first frame and the second frame in a single web

page at the user computer (**claims 37, 45 and 53**); or that the browser is subject to the consistent page

domain security requirement (**claims 36, 45 and 53**); initiation a live help session and passing the data

from the automated help session to the live help session (**claims 38 and 46**); passing a command from

the automated support session to the first frame (**claims 41 and 49**); receiving data that was collected in

the live help session and passing the data to the first frame (**claims 43 and 51**); receiving data collected

from the user in the second frame and passing the data to the live help session (**claims 44 and 52**); that

the user's computer, first Internet domain, and second Internet domain are separate (**claims 37, 47 and

53**) and that the content of the first frame is masked so that is appears to originate from the second

domain (newly added to claims 36, 45, and 53) and the similar feature of masking either a first or second

address to create the appearance that the first and second address are the same address (**claim 55**).

Jawahar et al teaches on online system for providing live support to an end-user. The system

teaches collecting all interaction of a user on a web page (content frame) and passing this information to

the live support session in at least col. 12: 65 - col. 13:23. These features are substantially similar to the

data collection and passing steps not taught by Brandt. The ability for the help session to send

information to the user's computer, i.e. passing information from the help session to the content frame, is

shown in col. 7: 37-40.   The Jawahar et al system monitors all user interactions, which in the combination

of the inventions, includes those interactions made with the automated help system of Brandt et al.

Separation of each of the various features of Jawahar is taught in at least Figure 2. The use of multiple

frames within a web-browser, including one indicating the help session and the other representing the

browser location is shown in at least col. 12: 21-64. Jawahar also teaches the use of either the Netscape

or Internet Explore browser (see col. 6: 8-21), both of which are known to operate under the consistent

page domain security when implemented in a Windows environment. It would have been obvious to one

of ordinary skill in the art to implement the live help session features of Jawahar et al with the automated

help system of Brandt et al so as to implement a convenient means for a user encountering difficulties

with a web page to contact a live representative to gain assistance (Jawahar et al, background).

Regarding the newly added limitations of **claims 37, 45 and 53**, Brandt fails to explicitly teach

that the automated agent monitors one or both of (i) a plurality of subsequent navigation locations of the

end-user within the first frame or (ii) a plurality of subsequent navigation events initiated by the end user

within the first frame, wherein the act of monitoring comprises passing the above information to the

second frame (automated agent). Jawahar et al teaches a monitoring program which monitors all actions

of a user as they browse a website, see col. 13: 9+. This function is used when the invention of Jawahar

determines whether to offer the user "help". The information monitored is sent to the live help system of

Jawahar et al. It would have been obvious to one of ordinary skill in the art to implement the monitoring

software of Jawahar et al within the automated support system of Brandt et al so as to allow the system to

monitor all actions of the user up to and including the specific request for help and allow the system to

determine where users where having the most difficulties in navigating a website.

Jawahar et al, like Brandt et al fails to teach that the content of the first frame is masked so that it

appears to originate from the second frame. Kobataghi et al teaches a system and method for sharing

web browser content amongst a plurality of users at remotely different locations and domains, See col. 2:

58 – col. 3: 4 and col. 3: 66 - col. 4: 3. It would have been obvious to employ the sharing technique as

disclosed by Kobayaghi et al within the systems of Brandt et al and Jawahar et al so as to allow the

sharing of content, including framed content, amongst a plurality of users without having to modify the

underlying content and programming of the web page.

2.   Claims 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt et al (US

2002/0130895 A1) in view of Jawahar et al (US 6256620 B1) further in view of Kobayaghi et al (US

6950852), as applied to claims 37 and 38 above, and further in view of Sullivan et al (US 6694314).

Brandt et al and Jawahar et al teach all features of the invention as shown above but fail to specifically

teach: gathering help data associated with the live help session, updating a knowledge database with the

help data, and using the help data from the updated knowledge database in a subsequent automated

help session to provide assistance to the end-user (**claim 54**). Sullivan et al teaches a user support system in which the user may receive both automated support and live support. Sullivan teaches keeping a database of help provided to a user, and using this database to further enhance the automated help systems in col. 3: 39-51 and col. 13: 3-28. The masking features are described in col. 7: 31-44. It would have been obvious to one of ordinary skill in the art to implement the features of Sullivan with those of Brandt et al and Jawahar et al so as to provide a more efficient automated help system, in which users were less frequently required to seek live-help.

Response to Arguments

3.   Applicant's amendments have overcome the previous rejection under 35 USC §112, 1st paragraph. Applicant's previous arguments against the Brandt and Jawahar combination are moot in view of the new reference to Kobayaghi et al.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathleen Mosser whose telephone number is (571) 272-4435. The examiner can normally be reached on M-F 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

   Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)

at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative

or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-

1000.

                                                        /Kathleen Mosser/
                                                        Primary Examiner, Art Unit 3715

April 13, 2009